

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Garg *et al.*

Appl. No.: 08/990,414

Filed: December 15, 1997

For: **Superscalar RISC Instruction
Scheduling**



Art Unit: 2783

Examiner: Donaghue, L.

Atty Docket: SP035.C3

Terminal Disclaimer

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The entire right, title and interest in and to Appl. No. 07/860,719 and any and all continuations thereof was originally assigned to S-MOS Systems, Inc. by Sanjiv Garg, Kevin R. Iadonato, Le Trong Nguyen, and Johannes Wang. The assignment by Sanjiv Garg and Kevin R. Iadonato to S-MOS Systems, Inc. was executed on April 29, 1992. The assignment by Le Trong Nguyen and Johannes Wang to S-MOS Systems, Inc. was executed on April 28, 1992. These assignments were recorded on May 6, 1992.

S-MOS Systems, Inc. assigned the entire right, title and interest in and to Appl. No. 07/860,719 and any and all continuations thereof to **Seiko Epson Corporation**. This assignment from S-MOS Systems, Inc. to **Seiko Epson Corporation** was executed on May 22, 1992 and recorded on May 28, 1992 at Reel 6136, Frame 0960.

Therefore, as U.S. Patent No. 5,497,499 is a continuation of Appl. No. 07/860,719, **Seiko Epson Corporation** represents that it is the owner of the entire right, title, and interest of U.S. Patent No. 5,497,499, by virtue of said assignments.

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As U.S. Patent No. 5,737,624 is a continuation of Appl. No. 08/219,425, which is a continuation of Application No. 07/860,719, **Seiko Epson Corporation** represents that it is the owner of the entire right, title, and interest of U.S. Patent No. 5,737,624, by virtue of said assignments.

As Appl. No. 08/990,414 is a continuation of U.S. Patent No. 5,737,624, **Seiko Epson Corporation** represents that it is the owner of the entire right, title, and interest of Appl. No. 08/990,414, by virtue of said assignments.

Disclaimer

Seiko Epson Corporation hereby disclaims the terminal part of any patent granted on Appl. No. 08/990,414 that would extend beyond the expiration of its co-owned U.S. Patent No. 5,497,499 and U.S. Patent No. 5,737,624, and hereby agrees that any patent granted on the above-identified application, or any patent granted on the above-identified application and subject to the reexamination proceeding, shall be enforceable only for and during such period that said patent is commonly owned with the patents that formed the basis of the obviousness-type double patenting rejection, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as currently shortened by any terminal disclaimer, of Patent No. 5,497,499 in the event that Patent No. 5,497,499 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate,

or is otherwise terminated prior to the expiration of its statutory term as presently shortened by terminal disclaimer, except for the separation of legal title stated above.

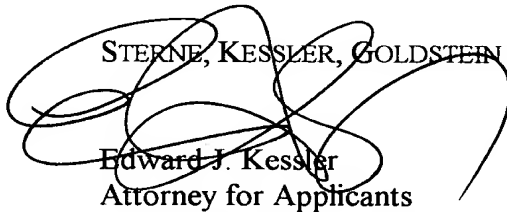
Further, Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as currently shortened by any terminal disclaimer, of Patent No. 5,737,624 in the event that Patent No. 5,737,624 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by terminal disclaimer, except for the separation of legal title stated above.

This disclaimer is accompanied by the fee set forth in 37 C.F.R. § 1.20(d).

The undersigned is an attorney of record.

Respectfully submitted,

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